STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION

In the Matter of:	)	
MARISELA ORNELAS, d/b/a VISION MOBILE HOME PARK, LLC,	)	
Respondent.	)	**No.: WQCC 21-04**

NEW MEXICO ENVIRONMENT DEPARTMENT'S RESPONSE IN OPPOSITION TO RESPONDENT'S MOTION TO DISMISS

COMES NOW, the Ground Water Quality Bureau ("Bureau"), a division of the New Mexico Environment Department's ("NMED") Water Protection Division ("Division") and submits this Response in Opposition to Respondent's Motion to Dismiss in the above captioned matter. Respondent's Motion is styled as a "motion to dismiss," but in fact appears to be a motion to remove Respondent as a party to this matter and add "Vision Mobile Home Park, LLC" ("Vision LLC") as the sole party. For the reasons set forth below, Respondent's Motion should be denied in its entirety:

I. THERE ARE NO LEGAL OR FACTUAL GROUNDS FOR DISMISSAL

1. Respondent is not actually requesting that the Water Quality Control Commission ("WQCC") dismiss this matter and Respondent has offered no factual or legal basis to support a dismissal. See *Butler v. Deutsche Morgan Grenfell, Inc*, 2006-NMCA-084, ¶ 6, 140 N.M. 111 (restating the standard that when considering a motion to dismiss, a tribunal will review the complaint and "accept all well-pleaded facts as true and question whether the plaintiff might prevail under any state of facts provable under the

claim."). In cases where dismissal is sought due to an absence of personal jurisdiction, tribunals will "construe the pleadings and affidavits in the light most favorable to the complainant, and the complainant need only make a prima facie showing that personal jurisdiction exists." *Trei v. AMTX Hotel Corp*., 2014-NMCA-104, ¶6.

2. Pursuant to NMSA 1978, Section 9-7A-4, NMED is an executive agency within the New Mexico state government. Pursuant to NMSA 1978, Section 74-6-2(K)(1), NMED is a constituent agency of the New Mexico Water Quality Control Commission.
3. Pursuant to NMSA 1978, Section 74-6-10(A)(1), when NMED determines that a person violated or is violating a regulation or permit created pursuant to the Water Quality Control Act, NMSA 1978, Sections 74-6-1 to -17, NMED may issue a compliance order assessing a civil penalty.
4. Pursuant to a delegation of authority from the Secretary of NMED, the Director of the Water Protection Division of NMED has authority to issue Administrative Compliance Orders on behalf of the Bureau. NMSA 1978, § 9-7A-6(B)(2).
5. Respondent owns and operates a company doing business by the name of Vision Mobile Home Park, LLC.
6. Respondent is a "person" as defined in Section 74-6-2(I) of the Act and 20.6.2.7(P)(2) NMAC.
7. Respondent holds a discharge permit ("DP-1691") for discharges up to 8,700 gallons per day ("gpd") of domestic wastewater to eleven septic tank/leachfield systems. The discharge contains water contaminants such as nitrate, chloride, total Kjeldahl nitrogen, and total dissolved solids that may exceed the standards of 20.6.2.3103 NMAC.
8. The discharge site is Vision Mobile Home Park located at 1 Road 6367, Kirtland, San

Juan County, New Mexico.

9. This matter has been properly brought before the WQCC in accordance with the Water Quality Act, and the New Mexico Water Quality Control Commission Regulations ("Regulations"), 20.6.2 NMAC, regarding allegations that Respondent is in violation of the conditions of DP-1691.

II. VISION LLP IS NOT A PARTY TO THIS PROCEEDING

10. Vision LLC is not a party to this proceeding. The sole responsible party to this proceeding is Respondent, Marisela Ornelas. The application for DP-1691 was submitted under Respondent's name, pursuant to 20.6.2.3106 NMAC. [EXHIBIT A]. Accordingly, DP-1691 was issued to Respondent personally. [EXHIBIT B].
11. At no time has an application been submitted or permit issued under 20.6.2.3106 NMAC, regarding any entity operating as Vision LLC.
12. Respondent has not met the requirements of 20.6.2.3111 NMAC that would transfer DP-1691 from Respondent's name to Vision LLC. Respondent has not submitted notice to the Bureau as required by 20.6.2.3111(B). Any claimed transfer is invalid under 20.6.2.3111, and Respondent remains the sole permittee.

For the reasons stated above, the Bureau opposes Respondent's Motion and respectfully requests that the Motion be DENIED in its entirety.

Christopher J. Vigil

Digitally signed by Christopher J. Vigil
Date: 2021.02.09 16:44:46 -07'00'

Chris Vigil
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CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2021, a true and accurate copy of the foregoing Response in Opposition was served by email on the following:

Marisela Ornelas
P.O. Box 1178
Cortez, CO 81321
visionmhomepark@gmail.com
ehpestates@gmail.com

Bob Patton
312hs7@gmail.com

/s/ Chris Vigil
Assistant General Counsel
New Mexico Environment Department
121 Tijeras Avenue NE, Ste. 1000
Albuquerque, New Mexico 87102

NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU

GROUND WATER DISCHARGE PERMIT APPLICATION

Instructions for completing the application are included in the form itself and in the Supplemental Instructions found at the back of the application. You may fill out the application manually, or a Microsoft Word version may be downloaded from www.env.nm.gov (Ground Water Quality) and filled out electronically. Timely processing of this application is contingent upon the technical completeness of the submission. Failure to provide all of the information pursuant to Section 20.6.2.3106 NMAC, following notice of technical deficiency, may result in denial of the application.

Send two complete paper copies AND one electronic copy of this application, with the filing fee to:

Program Manager
Ground Water Pollution Prevention Section
New Mexico Environment Department
P.O. Box 5469
Santa Fe, NM 87502

Introduction

Facility Name: vision mobile home park

GWQB – Date of Receipt
(Department use only)
GROUND WATER
AUG 14 2019
BUREAU

For Existing Discharge Permits:

DP Number: 1691

Expiration Date: 10/29/2017

Type of Discharge (*check one*):

- ☒ Domestic
- ☐ Industrial
- ☐ Agricultural
- ☐ Mining

Type of Application (*check appropriate box*)

- ☐ New – new facility
- ☐ New – existing (unpermitted) facility
- ☒ Renewal only
- ☐ Modification only
  "modification" includes a change in the location of a discharge, and/or increase in the quantity of the discharge, and/or a change in the quality of the discharge.
- ☐ Renewal and Modification

NMED EXHIBIT A

If this application is to *modify* or *renew and modify* a Discharge Permit, what is the reason for modification of the Discharge Permit? Describe the proposed changes that would result in modification, meaning a change in the location of a discharge, and/or an increase in the quantity of the discharge, and/or a change in the quality of the discharge.

Fees Included with Application

All applicants are required to submit a **$100 Application Filing Fee**. An additional fee will be assessed prior to permit issuance. Permit fees are listed in section 20.6.2.3114 NMAC. **Make checks payable to: NMED-Ground Water Quality Bureau**

Application Checklist

The following checklist has been provided to assist in ensuring that the application is complete prior to submission (*check all that apply*):

☒	Part I. Administrative Completeness ☒ $100 Application Filing Fee ☐ A. General Information ☐ B. Public Notice Information ☐ C. Public Notice Preparation
☐	Part II. Technical Completeness ☐ A. Discharge Volume and Description ☐ B. Identification and Physical Description of Facility ☐ C. Flow Metering ☐ D. Ground Water Monitoring ☐ E. Engineering and Surveying (electronic copies) ☐ F. Land Application Area
☐	Part III. Site-Specific Proposals
☐	Part IV. Electronic (PDF) format of Maps and Logs is required (additional paper copies of maps and logs are optional and may be requested by the Department if required for review) ☐ A. Surface Soil Survey and Vadose Zone Geology ☐ B. Location Map ☐ C. Flood Zone Map

Copies of Application

An applicant applying for a Discharge Permit shall submit **two paper copies of the signed application, and an electronic copy of the signed application including all supporting documentation**, to the address listed below.

☐ Two paper copies – completed and signed

☐ Electronic copy in portable document format (PDF) of the signed application and all supporting documentation (designs, maps, logs), on the following media *(choose one)*:

☐ Compact disc (CD)/DVD ☐ Flash drive

Send application and fees to the following address:
Program Manager
Ground Water Pollution Prevention Section
New Mexico Environment Department
P.O. Box 5469
Santa Fe, NM 87502

Applicant's Signature

Signature must be that of the person listed as the legally responsible party on this application (Part I, 2a).

I, the applicant, attest under penalty of law to the truth of the information and supporting documentation contained in this application for a Ground Water Discharge Permit.

Signature: _____ Date: _____

Printed Name: Marsella Onley Title: _____

NMED EXHIBIT A

Part I. Administrative Completeness

General Information

1. Facility Information

See Supplemental Instructions to determine what constitutes a "facility." The physical address must be provided. If the facility does not have an address, the location can be described by road intersections, mile posts, or landmarks, as appropriate. See Supplemental Instructions for additional information.

Facility Name	Vision Mobile Home Park
Discharge Permit #	1691
Physical Address	1 Road 6367 Kirtland, New Mexico 87417
County	San Juan
Type of Facility	mobile home park
Driving Directions	from intersection of Hwy 64 & Road 6400- south on rd. 6400to 6360, turn east adress on nthe right (south) side of street.

2. Contact Information

a) Applicant Information The applicant is the person or entity (e.g., corporation, partnership, organization, *municipality*, etc.) legally responsible for the discharge and for complying with the terms of the Discharge Permit. If the applicant is an entity, then the name and title of a contact person must be provided. This application must be signed by the applicant or contact person named here.

Applicant Name	Marisela Ornelas			Title	Owner
Mailing Address	P.O BOX 1178				
	City	Cortez	State	Colorado	Zip 81321
Contact Person	Marisela Ornelas			Title	Owner
	Office Number	505-326-0005		Fax Number	970-249-2900
Contact Information	Cell Number	760-419-1901		E-mail	EHPESTATES@GMAIL.COM

b) Facility Operator/Manager Information Provide the contact information for the facility operator or manager below. If the facility is required to have an operator certified by the State of New Mexico, please include the certification level of the operator named here.

Name	Marisela Ornelas			Title	owner
Mailing Address	P.O BOX 1178				
	City	8CORTEZ	State	CO	Zip 81321
	Office Number	505-326-0005		Fax Number	970-249-2900
Contact Information	Cell Number	760-419-1901		E-mail	EHPESTATES@GMAIL.COM

NMED EXHIBIT A

	Cell Number		E-mail
Certification Level (if applicable)	N/A		

c) Consultant's Information (if applicable) If the consultant is a company or organization, then the name and title of a contact person must be provided here.

Company Name (1)	Barrow Resources'				
Company Contact	Thomas Barrow				
Mailing Address	5 road 1788				
	City	Farmington	State	NM	Zip 87401
Contact Information	Office Number	505-609-3953	Fax Number	N/A	
	Cell Number	505-609-3953	E-mail	nm.barrow.18@outlook.com	

Company Name (2)	N/A				
Company Contact					
Mailing Address					
	City		State		Zip
Contact Information	Office Number		Fax Number		
	Cell Number		E-mail		

d) Permit Contact Information (if applicable) If someone other than the contacts listed above is a primary contact for this application and/or facility, list here.

Name	N/A			Title	
Mailing Address					
	City		State		Zip
Contact Information	Office Number		Fax Number		
	Cell Number		E-mail		
Facility Affiliation					

3. Ownership and Real Property Agreements [20.6.2.7HH NMAC]

The applicant owns (check as appropriate):

- ☒ The facility
- ☒ All discharge sites
- ☐ Some discharge sites

If someone other than the applicant owns the facility or any of the discharge sites, provide ownership information below. For any portion of the facility where the applicant is not the owner of record, the applicant shall submit a copy of any lease agreement or other agreement which authorizes the use of the

real property for the duration of the term of the requested permit (typically five years). Lease prices or other prices may be redacted.

- If more than one person has ownership interest, or a partnership exists, list all persons with an ownership interest.
- If a corporate entity holds an ownership interest, provide the name of the corporate entity and the entity's registered agent as filed with the New Mexico Public Regulation Commission.

Name	N/A	Title
Mailing Address		
	City	State Zip
Contact Information	Office Number	Fax Number
	Cell Number	E-mail
Owns	☐ The facility	☐ A discharge site
	☐ Attached – lease (or other authorized use) agreement	

Name	N/A	Title
Mailing Address		
	City	State Zip
Contact Information	Office Number	Fax Number
	Cell Number	E-mail
Owns	☐ The facility	☐ A discharge site
	☐ Attached – lease (or other authorized use) agreement	

4. Public Notice Information

a) Proposed Maximum Daily Discharge Volume: 8,700 gallons per day
Note: Use the information from Part II.A.2 following its completion.

b) Depth-to-Most-Shallow Ground Water: 20 feet
Note: Use the information from Part II.A.2 following its completion.

c) Pre-Discharge Total Dissolved Solids Concentration in Ground Water
[Subsection C of 20.6.2.3106 NMAC]

Provide the concentration of total dissolved solids (TDS) in ground water prior to discharging from the facility. *Note: This information is likely the same as that submitted in the first application for a Discharge Permit for this facility.*

- Pre-discharge TDS concentration in ground water: 610 mg/L (ppm)
  - ☐ Attached – Copy of laboratory analysis report (if available)

- From what source was the sample collected (e.g., upgradient monitoring well, on-site supply well, nearest well within a one-mile radius of the facility)?
  nearest well within a one mile radius. 1

5. Facility Location

In the table below, describe the location for the entire facility by listing the Township, Range, and Section, and/or latitude and longitude for the locations of all components of the processing, treatment, storage, and/or disposal system. See Supplemental Instructions for additional information. [Paragraph (2) and (5) of Subsection C of 20.6.2.3106 NMAC]

Component[1] ID	Township	Range	Section(s)	Latitude	Longitude
ST-1	T29N	R14W	7		
ST-2	T29N	R14W	7		
ST-3	T29N	R14W	7		
ST-4	T29N	R14W	7		
ST-5	T29N	R14W	7		
ST-6	T29N	R14W	7		
ST-7	T29N	R14W	7		
ST-8	T29N	R14W	7		
ST-9	TST-29N	R14W	7		

6. Processing, Treatment, Storage, and Disposal System

Briefly describe how wastewater, sludge, etc. is processed, treated, stored, and/or disposed of at your facility. Include each component listed in the table above.

DOMESTIC WASTEWATER IS DISCHARGED TO ELEVEN SEPTIC TANK/ LEACHFIELD SYSTEMS

7. Public Notice Preparation [20.6.2.3108 NMAC]

[1] Components include: septic tanks, impoundments, treatment systems, irrigation sites, leachfields, monitoring wells, mine stockpiles, etc. Additional examples are listed in the Supplemental Instructions. Each component should have a unique ID, for example septic tank-1, monitoring well-3, etc.

Once NMED has determined that your application is administratively complete, you must complete the applicant's public notice requirements of Section 20.6.2.3108 NMAC. Language for notifications will be mailed to you with an administratively complete determination. Note: Guidance and instructions for completion of applicant's public notice can also be found at the following link: https://www.env.nm.gov/gwb/NMED-GWQB-PublicNotice.htm. The information requested below will be used by NMED to approve or reject the proposed public notice newspaper and signage posting locations in accordance with Subsection A of 20.6.2.3108 NMAC. Note: Other requirements of Section 20.6.2.3108 NMAC not listed here, such as certified mailings to nearby landowners, may also apply.

a) Public Notice Posting Locations

Select the type of application you are submitting and provide the requested information. Language to be used in the required notifications will be included in the administratively complete packet.

☒ Renewal Application

1. Following receipt of an administrative completeness determination from NMED, the applicant is required to provide public notice of this application by placing a 2 inch by 3 inch display ad (classified or legal sections are not acceptable) in a newspaper of general circulation in the location of the proposed discharge. Indicate the newspaper in which you intend to place the ad. [Subsection C of 20.6.2.3108 NMAC]

Newspaper: American Classifieds

☐ New Application, Modification Application, or Renewal with Modification Application

1. Following receipt of an administrative completeness determination from NMED, the applicant is required to provide public notice of this application by placing a display ad (classified or legal sections are not acceptable) in a newspaper of general circulation in the location of the proposed discharge. Indicate the newspaper in which you intend to place the ad. [Paragraph (4) of Subsection B of 20.6.2.3108 NMAC]

Newspaper: _____

2. Following receipt of an administrative completeness determination from NMED, the applicant is required to post a sign(s) (2 feet x 3 feet in size) for 30 days in a location conspicuous to the public at or near the facility. One sign must be posted for each 640 contiguous acres or less. NMED may require additional postings for facilities of more than 640 acres or when the discharge site(s) is not located on contiguous properties. Indicate the location(s) where you intend to display the sign(s). [Paragraph (1) of Subsection B of 20.6.2.3108 NMAC]

Note: Conspicuous location means a location where the sign is visible and legible to the public and the public has access (e.g., at facility entrance on public road).

- Is the entire facility (including all components and discharge sites) contained within **less than** 640 acres, and is the acreage contiguous?

  ☒ Yes - Indicate a sign location below.
  ☐ No – Indicate **two** sign locations below.

Sign Location(s): Entrance of Facility

3. Following receipt of an administrative completeness determination from NMED, the applicant is required to post an additional notice (a flyer 8.5" X 11" or larger) for 30 days at an off-site

location conspicuous to the public (e.g., public library). Indicate the location where you intend to display the flyer. [Paragraph (1) of Subsection B of 20.6.2.3108 NMAC]

Note: The U.S. Postal Service no longer allows the posting of flyers in post offices.

Flyer Location: Kirtland, NM Post Office

b) Mailing Instructions

a) The administrative completeness determination letter, including public notice instructions, should be sent to:

☒ Applicant ☒ Consultant

Part II. Technical Completeness

1. Discharge Volume and Description

a. Date of Initial Discharge at the Facility [Subsections A and B of 20.6.2.3106 NMAC]

Date of Initial Discharge: 10/08/2008

b. Determination of Maximum Daily Discharge Volume [Subsection C of 20.6.2.3106 NMAC]

See Supplemental Instructions for more information.

1. **Proposed maximum daily discharge volume:** 8,700 gallons per day.

(*Note: Use this volume to complete Part I.4.a (Public Notice).*

- Describe the methods and calculations used to determine this volume. Acceptable methods are described in the Supplemental Instructions. If you are relying on metered flows, attach a two-year record of meter readings.

carried from original permit

- Describe what generates the wastewater, sludge, or other discharges processed and/or disposed of at your facility. Identify all sources (e.g., RV spaces, mobile homes, shower facilities, laundromat, restaurant, backwash systems, septage haulers, contaminated media, etc.). See Supplemental Instructions.

NMED EXHIBIT A

25 mobile home spaces to 11 septic tanks/leachfield systems

2. **Identify other wastewater or stormwater discharges at the facility** not described in this application and indicate what other permits apply to them. Examples include discharges from small septic systems covered by Liquid Waste Permits, discharges to surface waters under a NPDES permit, a discharge covered by a separate Discharge Permit, etc. Be sure these other discharge locations are identified on the site map required in item Part II.B.1.

Other Discharges	Permit Number
N/A	

2. Identification and Physical Description of Facility

[Subsection C of 20.6.2.3106 NMAC]

a. Scaled Map

Provide a clear and legible scaled electronic map of the components of your proposed system and relevant surrounding features, indicating the location of all the following features present at the site:

- overall facility layout
- treatment units
- lagoons
- tanks
- sumps
- land application fields
- domestic wastewater re-use areas
- pits
- stockpiles
- leachfields
- sludge drying beds
- fences
- roads
- buildings
- supply wells
- monitoring wells
- extraction/injection wells
- arroyos
- nearby water bodies such as ponds or canals
- property boundaries
- other permitted discharges
- required setbacks
- north arrow

b. Description of Components

Provide descriptive details of all components of your processing, treatment, storage, and/or disposal system. Include all components listed in the table of Part I.5.

Component	Status[1]	Date of installation or construction (mm/dd/yyyy)	Description (construction material, liner type, irrigation method, capacity, dimensions, area, model number, etc.)
Septic Tank #1	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #2	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #3	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #4	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #5	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #6	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #7	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #8	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #8	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #9	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #10	existing/in use	01/01/1975	1500 gallons made of reinforced concrete
Septic Tank #11	existing/in use	01/01/1975	1500 gallons made of reinforced concrete

[1] Status = **proposed**; **existing in use**; **existing not in use**, but proposed for use; **abandoned** without closure, not proposed for use; or **closed**

NMED EXHIBIT A

NMED EXHIBIT A

3. Flow Metering

Describe the facility's flow metering system. See Supplemental Instructions for more information.

Meter ID[1]	Proposed or Existing?	Influent or Effluent?	Location Description	Flow Type[2]	Meter Type[3]	Supporting Documents Attached
WM-1	existing	influent	readings supplied from Lower Valley Water Users Association	pressurized flow	closed pipe	

[1] Meter ID means the numbering or labeling system used to individually identify each meter (e.g., Meter-1, Irrigation Meter-1, etc.).
[2] Flow type - **gravity** flow or pressurized (**pumped**) flow
[3] Meter type - **open channel** such as a weir or flume, or a **closed-pipe** velocity meter such as an electromagnetic meter

4. Discharge Quality

Indicate the expected quality of the discharge (wastewater, leachate, sludge, etc.) that is generated, stored, treated, processed and/or discharged at your facility.

Note: Not all facilities need to characterize influent quality. See Supplemental Instructions for additional guidance.

Contaminants	Contaminants	
	Incoming (Influent)	Final (Effluent)
Nitrate as Nitrogen (NO_3-N, mg/L)[1]		
Total Kjeldahl Nitrogen (TKN, mg/L)[1]		
Total Dissolved Solids (TDS, mg/L)[1]		
Chloride (Cl, mg/L)[1]		
Total Suspended Solids (TSS, mg/L)[2]		
Biochemical Oxygen Demand (BOD, mg/L)[2]		
Fecal Coliform Bacteria (CFU/100 mL)[2]		
pH[3]		
Metals (attach list)[3]		
Organic Compounds (attach list)[3]		

1. Include for all domestic systems.
2. Include for domestic systems that use an advanced treatment process.
3. Include for industrial or mining systems if these are contaminants of concern. If metals or organic compounds are present in the discharge, attach a list of influent and effluent concentrations for each metal/organic compound.

5. Ground Water Monitoring

Discharge Permits typically require that ground water samples be collected quarterly from properly constructed monitoring wells located downgradient from discharge locations. The samples must be analyzed for contaminants of concern. For most domestic and agricultural Discharge Permits, the typical contaminants of concern are total Kjeldahl nitrogen (TKN), nitrate-nitrogen (NO_3-N), total dissolved solids (TDS), and chloride (Cl). For most industrial Discharge Permits, typical contaminants of concern are volatile and semi-volatile organic compounds (VOC's), polynuclear aromatic hydrocarbons (PAH's), polychlorinated biphenyls (PCB's), metals, and radionuclides. See Supplemental Instructions for additional information.

a. Depth-to-Most-Shallow Ground Water [Subsection C of 20.6.2.3106 NMAC]

1. Facilities *with* on-site monitoring wells

Provide the depth-to-most-shallow ground water from the most recent ground water levels obtained from monitoring wells at the facility. Depth-to-ground water shall be measured to the nearest 0.01 feet using standard methods and techniques [Subsection B of 20.6.2.3107 NMAC].

Depth-to-ground water is: 20 feet

Note: Use this depth to complete Part I.4.b (Public Notice).

NMED EXHIBIT A

2. **Facilities *without* on-site monitoring wells**

If a facility does not have a monitoring well intersecting most-shallow ground water, provide depth-to-most-shallow ground water for all wells on file located within one mile of the boundary of the facility. This information can be obtained from the Office of the State Engineer (http://www.ose.state.nm.us).

Depth-to-ground water is: 20 feet

Note: Use the range of depths from these records to complete Part I.4.b (Public Notice).

☐ Attached – Records from the Office of the State Engineer, including the following:

- location of each well by latitude/longitude and township, range, and section
- use of each well
- depth to ground water in each well
- total depth of each well

b. Ground Water Flow Direction [Subsection C of 20.6.2.3106 NMAC]

1. **Facilities with *three or more* on-site monitoring wells**

Provide ground water flow direction beneath the facility on a ground water elevation contour map. The ground water elevation contour map shall be developed based upon the most recent ground water levels and survey data obtained from on-site monitoring wells.

Flow Direction _____

☐ Included – Ground water contour map from on-site monitoring wells

☐ Included – Monitoring well survey

☐ No survey has been conducted

☐ Survey previously submitted on _____ (date)

2. **Facilities with *less than three* on-site monitoring wells**

If a facility does not have at least three monitoring wells intersecting most-shallow ground water, provide ground water flow direction based upon either the most recent regional water level data or published hydrogeologic information. Attach the sources of information used to determine ground water flow direction. *Select all that apply.*

☐ Ground water flow direction of the most-shallow ground water beneath the facility based upon the *most recent regional water level data* is _____.
-- Reference: _____ (attach relevant portions)

☐ Attached - Survey data from nearby monitoring wells and a *ground water elevation contour map* indicating the direction of ground water flow.

☐ Ground water flow direction of the most-shallow ground water beneath the facility based upon *published hydrogeologic information* is _____.

-- Reference: _____ (attach relevant portions)

NMED EXHIBIT A

c. Monitoring Well Construction and Identification [Subsection C of 20.6.2.3106 NMAC; Subsection A of 20.6.2.3107 NMAC]

1. **For existing monitoring wells**
   Submit construction logs for all existing, on-site monitoring wells, which indicate the date of installation and well driller.

   ☐ Included - Construction logs for each existing monitoring well.

   ☐ Previously Submitted
   Date _____

2. **For all monitoring wells** - Identify proposed and existing monitoring well (MW) locations.

MW ID[1]	Proposed or Existing?	Location Description[2] AND Latitude and Longitude	Screen Interval (ft)	Depth to Water

[1] MW ID (Monitoring Well ID) is the numbering or labeling system used to identify a MW (e.g., MW-1, MW-2, etc.).
[2] Example: 60 feet south of the top inside edge of the berm of Wastewater Impoundment-1

NMED EXHIBIT A

d. Past Ground Water Monitoring Results

This item applies only to existing facilities seeking renewal and/or modification of a Discharge Permit that required ground water monitoring. See Supplemental Instructions for additional information.

1. **Attach a graph or table showing all analytical results from ground water monitoring.**

e. Engineering and Surveying

Proposed New Structures or Improvements to Existing Structures

Include electronic plans and specifications for any *proposed* new structures or improvements to existing structures. All final plans and specifications must bear the stamp of a New Mexico licensed Professional Engineer.

- Proposed plans and specifications included (*Select all that apply)*
  - ☐ Included for new structure(s)
  - ☐ Included for improvements to an existing structure
  - ☐ No proposals for new or improved structures

f. Land Application Area Information

For facilities proposing to apply reclaimed or treated wastewater to a land application area, provide calculations showing that nitrogen loading does not exceed 200 lbs/acre/year or that the amount of total nitrogen in the combined application of wastewater and fertilizer does not exceed by more than 25% the amount reasonably expected to be taken up by the crop(s) and removed by harvesting in any 12-month period. Forms to assist in these calculations can be found at: https://www.env.nm.gov/gwb/FORMS/NewMexicoEnvironmentDepartment-GroundWaterQualityBureau-Forms.htm.

☐ Attached – Nitrogen loading calculations

Part III. Additional Proposals and Conditions (if applicable)

In the space provided, propose revisions or additions to the standard Discharge Permit requirements. If you propose any revisions or additions, also provide the rational for your proposal.

we will be constructing a lift station and making the tie in to the city sewer system as funding becomes available with the help of city of Farmington engineers and operators.

given the age and lack of monitoring wells I feel this is the best solution for all involved or not. the funding will be the largest challenge as a lift station can be costly.

Part IV. Maps and Logs to be Attached

1. Surface Soil Survey and Vadose Zone Geology

[Subsection C of 20.6.2.3106 NMAC]

☐ Attached - Most recent regional soil survey map and associated descriptions identifying surface soil type(s).

☐ Attached - Lithologic logs for all existing on-site monitoring wells (if available).

2. Topographic Map [Subsection C of 20.6.2.3106 NMAC]

☐ Attached - Location map with topographic surface contours identifying all of the following features located within a one-mile radius of the facility:

- watercourses
- lakebeds
- sinkholes
- playa lakes
- springs (springs used to provide water for human consumption shall be so denoted)
- wells supplying water for a public water system
- private domestic water wells
- irrigation supply wells
- ditch irrigation systems
- acequias
- irrigation canals
- drains

3. Flood Zone Map [Subsection C of 20.6.2.3106 NMAC]

☐ Attached - Most recent 100-year flood zone map developed by the federal emergency management administration (FEMA) documenting flood potential for the facility.

Describe any engineered measures used for flood protection.

4. Additional Information

Describe any additional relevant information.

Supplemental Instructions

Please note: Discharge Permits are required for a wide range of facilities that process, treat, store and/or dispose of wastewater, sludge, septage, leachate, contaminated soils, mine tailings, industrial waste, mine ore, waste rock, or other similar materials. For the purposes of this application form, the term "discharge" applies to any of these materials whether they are actually discharged or whether they represent only a potential discharge that could occur due to factors such as poor maintenance, improper installation, equipment failure or accidents.

Part I.1 Facility Information and Type of Facility

The "Facility" may be identified as:

- a treatment facility, such as a municipal wastewater treatment plant;
- the source of the discharge, such as a subdivision, or waste rock pile;
- a disposal facility or operation, such as for sludge or septage;
- the discharge location or end user of reclaimed wastewater, such as a golf course or cement plant;
- a storage and/or processing facility with off-site disposal;
- a collection of facilities, such as numerous comfort stations at a state park; or
- a project or operation, such as a construction project or a system to distribute reclaimed wastewater throughout a city.

Examples of a variety of facility types are categorized below. Please note, "Domestic" waste contains human excreta or originates from typical residential plumbing fixtures.

Industrial Waste

- Manufacturing
- Power plant
- Military installation
- Vehicle/equipment wash
- Mortuary
- Hydrocarbon landfarm
- Ground water remediation
- Ethanol plant
- Asphalt plant
- Remediation Systems

Mining Waste

- tailing impoundment
- mine dewatering
- waste rock pile
- smelter slag
- in-situ leach
- leach piles
- pipelines
- collection ponds
- concentrator – other beneficiation

Domestic Waste

- Municipal wastewater treatment plant
- Septage disposal
- Sludge disposal
- Mobile home/RV park
- Campground/park
- School/educational facility
- Restaurant
- Subdivision/apartment complex
- Unincorporated community
- Lodging/resort/spa
- Residential facility
- Commercial/shopping complex
- Laundromat
- Facility using reclaimed domestic wastewater

Agricultural Waste

- Dairy
- Food processing
- Slaughter facility
- Nursery/greenhouse
- Manufacture/processing of agricultural chemicals
- Feedlot
- Livestock truck washout

This listing is only a guide, as there can be crossover between categories. For example, a golf course might use treated industrial wastewater for irrigation. The type of facility in that case is "golf course" and the type of waste is "industrial." A mining operation may need a permit for its restroom and shower facilities. In that case, the type of facility is a "mining operation" and the type of discharge is "domestic waste."

Part I.5: Facility Location

The following are examples of treatment, storage, and disposal components of a wastewater system that should be included in this part.

Treatment Methods

- Septic tank
- Grease interceptor
- Oil/water separator
- Manure separator
- Wetlands
- Lagoon (indicate whether aerated and type of liner)
- Trickling filter
- Activated sludge (extended air, SBR, etc.)
- Sand filter
- Membranes
- Sludge drying bed
- Disinfection (specify type)
  - ➢ chlorination

Disposal Methods

- Leachfield
- Infiltration gallery
- Evaporation lagoon (indicate type of liner)
- Evaporation tank
- Impoundment
- Discharge to waters of the US (NPDES permit required)
- Ongoing land application (specify type)
  - ➢ subsurface irrigation
  - ➢ sprinkler irrigation
  - ➢ flood irrigation
  - ➢ drip irrigation
  - ➢ surface spreading (solids)
  - ➢ surface injection (solids)

- UV/ozone
- Water treatment plant
- Injection Wells
- Temporary uses of reclaimed wastewater
- Ongoing use of reclaimed wastewater for:
  - Manufacturing construction or dust control

Storage Methods

- Above/below ground tank
- Storage lagoon (indicate type of liner)
- Holding tank
- Pit toilet
- Stockpile
- Tailing impoundment

Part II.1 Proposed Maximum Daily Discharge Volume

Your Discharge Permit will allow for the treatment, processing and/or discharge of up to a specified volume, generally, a maximum number of gallons per day. The flow at your facility on any given day must not exceed this "maximum discharge volume." It is determined based on the expected contributions from the sources you identified Part II, 1, b, 1.

NMED will carefully review the basis of the maximum discharge volume you propose. Show all your calculations and assumptions.

Animal feeding operations must provide calculations based on the number of animals and water conservation practices in place.

Landfarms, disposal facilities, processing facilities typically identify the expected number of loads to be delivered.

For septic systems and wastewater treatment plants, the maximum discharge volume is also referred to as the "design flow." It includes a peaking or safety factor to guard against back-ups and overflows.

Municipal wastewater treatment facilities should identify the population served, growth assumptions, and expected per capita usage considering any contributing industries.

On-site domestic wastewater treatment facilities should rely on published design flows such as those provided in the NMED Liquid Waste Regulations (20.7.3 NMAC), the Uniform Plumbing Code or the USEPA On-site Wastewater Treatment Systems Manual.

For existing facilities, the maximum discharge volume may be based on a record of measured flows if no changes are anticipated. At least two years of flow data must be submitted, and the highest monthly discharge volume must be multiplied by a peaking factor of 1.5.
NMED will verify that your proposed or existing facility can handle maximum discharge volume you propose.

Be specific in describing all sources. Consider the following examples:

- Municipalities – identify particular industries or specialized facilities contributing wastewater.
- RV Parks – identify showers, dump stations, laundromat, etc.

- Subdivisions – identify homes, apartments, commercial developments, water softener backwash, etc.
- Landfarms or disposal facilities – specify type of materials accepted, e.g., residential septage, car wash grit trap waste, contaminated soils/water, treated municipal sludge, etc.
- Dairies – identify milking parlors, type of washdown used, sources of stormwater runoff, etc.
- Schools – identify cafeteria, gym, showers, etc.
- Truck stops – identify restaurant, showers, car wash, etc.
- Facilities receiving reclaimed wastewater – identify the treatment facility providing the reclaimed wastewater.
- Food processing and industrial facilities – describe the processes which produce the waste stream and chemicals used.
- Mines – identify processes including beneficiation, tailing, waste rock, leach facilities, pipelines, ponds, catchments, booster stations, in-situ leach facilities.

You do not need to include solid wastes, hazardous wastes or discharges being managed under other permits; however, these must be listed under Item C-7 in Part C of the application.

Part II.3: Flow Metering

You must provide a method for measuring the discharge volume (Section 20.6.2.3109.H.1 NMAC). At facilities with treatment or storage lagoons, it is necessary to measure both the volume entering the treatment system as well as the volume ultimately discharged.

If you land apply wastewater to more than one discharge location, you must be able to track the volume to each location.

If your facility is small and relies on gravity to carry wastewater to the treatment and disposal system, it may be acceptable to estimate the wastewater flow. This can be done by metering water usage and deducting the volume of water used for fresh-water irrigation, swimming pools, evaporative cooling, livestock watering or other uses that do not result in wastewater flowing to the treatment system.

Part II.4: Discharge Quality

Untreated wastewater entering a treatment facility (also referred to as "influent") must be characterized so that the treatment process can be evaluated. It is not necessary to provide influent quality for systems providing minimal treatment prior to discharge or disposal, such as systems relying on crop uptake for treatment (e.g., dairies), septic tank – leachfield systems, storage/processing facilities or evaporative systems. The final quality of the waste or wastewater disposed of or discharged must be characterized for all facilities.

For most agricultural and domestic facilities, the contaminants of concern include nitrate as nitrogen (NO_3-N), total Kjeldahl nitrogen (TKN), total dissolved solids (TDS), and chloride (Cl). For domestic facilities with advanced treatment, additional contaminants include total suspended solids (TSS), biochemical oxygen demand (BOD_5), and fecal coliform bacteria. Contaminants of concern at industrial and mining sites include pH, metals, and organic compounds. List all that apply.

Part II.E: Ground Water Monitoring

NMED EXHIBIT A

The depth to ground water beneath your facility and/or discharge site must be provided. This is true even if your facility or operation is intended to have no discharge. Discharge Permits are required for "no-discharge" lagoons, storage tanks, etc. because of the potential for a discharge to occur due to factors such as improper installation, poor maintenance, equipment failure or accidents.

The best way to determine the depth to water is to measure it in an on-site or nearby monitoring well. If a monitoring well is not available, the measurement may be from a water supply well. If there is a well but it is not possible to access it for a measurement, you could refer to the well log for that well and/or others in the vicinity. Well log information is available on the website of the State Engineer's office:

http://www.ose.state.nm.us/.

Be aware that water levels have dropped in many areas of the state, so more recent well logs in those areas are more reliable.

There may be a significant discrepancy in the depth to water in different wells, even when falling water levels is not a factor. One reason for this is that a water supply well may rely on a deep aquifer rather than water in the "first" or most shallow aquifer. Discharge Permits are intended to protect all ground water, so it is important to report the shallowest depth in the vicinity of your site.

The total dissolved solids (TDS) concentration of the ground water prior to discharge must be provided. As explained for the depth to water, this is true even if your facility or operation is intended to have no discharge. The TDS value provides a general indication of the quality of the ground water that could be affected by your operation.

The best way to obtain a pre-discharge TDS concentration is to sample an on-site or nearby well before your facility begins operating. It is better to sample a shallow rather than a deep well, if possible. It may be that a neighboring facility has existing analytical data for its Discharge Permit. (If so, be sure to obtain data from a non-impacted well.)

If there are no wells in your vicinity or it is not possible to sample them, you may find general TDS concentrations in reports available from sources such as a university, the State Engineer's Office (http://www.ose.state.nm.us/) or the US Geological Survey (http://nm.water.usgs.gov/).
If you are renewing or modifying your Discharge Permit, you may refer to the TDS concentration previously determined if there was a sound basis for it. Monitoring data or other information obtained since the permit was issued, however, may warrant listing a different value.

Part II.E.4: Past Ground Water Monitoring Results

A complete list of ground water standards can be found in Section 20.6.2.3103 NMAC. The standards for contaminants most frequently monitored under Discharge Permits are as follows:

Nitrate-nitrogen (NO_3-N)..... 10 mg/L
Chloride..... 250 mg/L
Total dissolved solids (TDS)... 1000 mg/L
Sulfate (SO_4) ..... 600 mg/L
pH ..... between 6 and 9

There is no ground water standard for total Kjeldahl nitrogen (TKN). Because TKN converts readily to nitrate as it moves through the vadose zone, however, concentrations approaching or exceeding 10 mg/L are of concern.

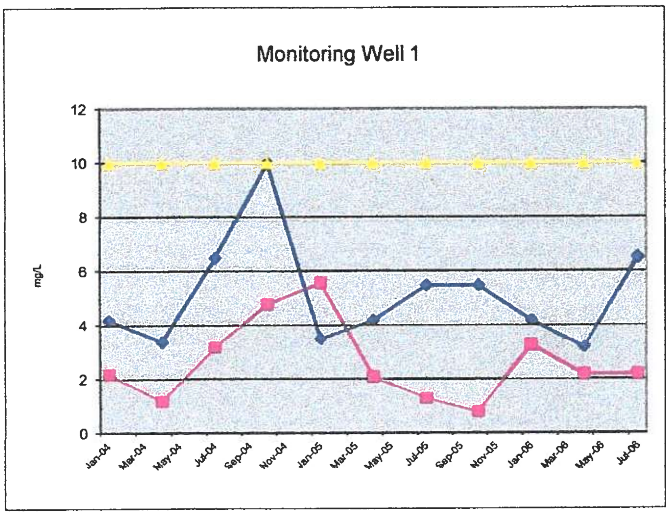
NMED EXHIBIT A

Additional parameters typically apply at mining or industrial facilities.

Some ground waters in the state have TDS or chloride concentrations that naturally exceed these standards. In that case, the standard is the naturally occurring level. You must provide documentation of such elevated natural conditions, such as analytical results from a non-impacted well.

An example table and graph follow:

	Monitoring Well 1	
Date	NO3-N	TKN
Jan-04	4.2	2.2
Apr-04	3.4	1.2
Jul-04	6.5	3.2
Oct-04	10	4.8
Jan-05	3.5	5.6
Apr-05	4.2	2.1
Jul-05	5.5	1.3
Oct-05	5.5	0.8
Jan-06	4.2	3.3
Apr-06	3.2	2.2
Jul-06	6.5	2.2



NMED EXHIBIT A

NEW MEXICO
ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau

1190 Saint Francis Drive / PO Box 5469
Santa Fe, NM 87502-5469
Phone (505) 827-2900 Fax (505) 827-2965
www.env.nm.gov

Michelle Lujan Grisham
Governor

Howie C. Morales
Lieutenant Governor

James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

April 8, 2020

Marisela Ornelas, Owner
Vision Mobile Home Park
P.O. Box 1178
Cortez, CO 81321

RE: Discharge Permit Renewal, DP-1691, Vision Mobile Home Park

Dear Ms. Ornelas:

The New Mexico Environment Department (NMED) issues the enclosed Discharge Permit Renewal, DP-1691, to you (permittee) pursuant to the New Mexico Water Quality Act and the New Mexico Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED sent you a draft permit dated December 23, 2019 and also made the draft available to the public for a 30-day comment period from January 31, 2020 till March 2, 2020. NMED did not receive any comments on the draft permit.

Please read the final permit closely, as some minor alterations have occurred since issuance of the draft permit to ensure enforceability and an achievable timeline. The majority of these adjustments consist of edits to Condition 10 and removal of Condition 12.

The permit includes a very important 60-day deadline that you should begin working on immediately. By June 7, 2020, the permittee shall submit to NMED a plan for connecting to the VWSD sewer. The plan shall include, at minimum, documentation on the funding sought/obtained for connection, a timeline for connection, construction benchmarks to be met, and a protocol for reporting progress toward connection. See Condition 10 for an additional description of this requirement.

NMED will send you an invoice under a separate cover for the Discharge Permit Fee of $2,300.00.

NMED advises you to submit an application for renewal or renewal/modification at least 180 days prior to March 19, 2025, the end of the Discharge Permit term, in order to avoid a lapse in permit coverage, which could result in enforcement action.

If you have any questions, please contact Avery Young at (505) 827-2909. Thank you for your cooperation during the application review process.

Sincerely,

Michelle Hunter

Digitally signed by Michelle Hunter
Date: 2020.04.08 08:39:42 -06'00'

Michelle Hunter, Chief
Ground Water Quality Bureau

MH:AY

Encl: Discharge Permit Renewal, DP-1691
Discharge Permit Summary
Table of 20.6.2.3103 Standards for Ground Water

cc: Rebecca Roose, Water Protection Division Director
Robert Italiano, District Manager, NMED District II
John Romero, Office of the State Engineer
Eric Hall, Drinking Water Bureau, Utility Operator Certification Program
Thomas Barrow, Barrow Resources', nm.barrow.18@outlook.com

NEW MEXICO
ENVIRONMENT DEPARTMENT
Ground Water Quality Bureau
1190 Saint Francis Drive / PO Box 5469
Santa Fe, NM 87502-5469
Phone (505) 827-2900 Fax (505) 827-2965
www.env.nm.gov

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name:	Vision Mobile Home Park
Discharge Permit Number:	DP-1691
Facility Location:	1 Road 6367 Kirtland, NM 87417
County:	San Juan County
Permittee: Mailing Address:	Marisela Ornelas P.O. Box 1178 Cortez, CO 81321
Facility Contact: Telephone Number/Email:	Marisela Ornelas (505) 326-0005/ehpestates@gmail.com
Permitting Action:	Renewal
Permit Effective Date: **Permit Expiration Date:**	April 8, 2020 April 7, 2025
NMED Permit Contact: Telephone Number/Email:	Avery Young (505) 827-2909/avery.young@state.nm.us

Michelle Hunter Digitally signed by Michelle Hunter Date: 2020.04.08 08:40:01 -06'00'

MICHELLE HUNTER
Chief, Ground Water Quality Bureau
New Mexico Environment Department

Date

NMED EXHIBIT B

TABLE OF CONTENTS

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal (Discharge Permit), DP-1691, to Marisela Ornelas (permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from Vision Mobile Home Park (facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. In issuing this Discharge Permit, NMED has determined that the requirements of Subsection C of 20.6.2.3109 NMAC have been met. Pursuant to Section 20.6.2.3104 NMAC, it is the responsibility of the permittee to comply with the terms and conditions of this Discharge Permit; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

The activities that produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics of the discharge are briefly described as follows.

Up to 8,700 gallons per day (gpd) of domestic wastewater is discharged to eleven septic tank/leachfield systems. The permittee intends to connect to the Valley Water and Sanitation District (VWSD) sewer system within the term of this Discharge Permit. The discharge contains water contaminants that may be elevated above the standards of Section 20.6.2.3103 NMAC.

The facility is located at 1 Road 6367, Kirtland, in Section 7, Township 29N, Range 14W, San Juan County. Groundwater most likely to be affected is at a depth of approximately 20 feet and has a total dissolved solids concentration of approximately 610 milligrams per liter.

The original Discharge Permit was issued on October 29, 2012. The application (i.e., discharge plan) consists of the materials submitted by Barrow Resources' on behalf of the permittee dated August 14, 2019 and materials contained in the administrative record prior to issuance of this Discharge Permit. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

Pursuant to Section 20.6.2.3109 NMAC, NMED reserves the right to require a Discharge Permit Modification in the event NMED determines that the requirements of 20.6.2 NMAC are being or may be violated or the standards of Section 20.6.2.3103 NMAC are being or may be violated. This may include a determination that structural controls and/or management practices approved under this Discharge Permit are not protective of groundwater quality, and that more stringent requirements to protect groundwater quality may be required by NMED. The permittee may be required to implement abatement of water pollution and remediate groundwater quality.

Issuance of this Discharge Permit does not relieve the permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

The following acronyms and abbreviations may be used in this Discharge Permit.

Abbreviation	Explanation		Abbreviation	Explanation
BOD_5	biochemical oxygen demand (5-day)		NMED	New Mexico Environment Department
CFR	Code of Federal Regulations		NMSA	New Mexico Statutes Annotated
CFU	Colony Forming Unit		NO_3-N	nitrate-nitrogen
Cl	chloride		NTU	nephelometric turbidity units
EPA	United States Environmental Protection Agency		TDS	total dissolved solids
gpd	gallons per day		TKN	total Kjeldahl nitrogen
LAA	land application area		total nitrogen	= TKN + NO_3-N
LADS	land application data sheet(s)		TRC	total residual chlorine
mg/L	milligrams per liter		TSS	total suspended solids
mL	milliliters		WQA	New Mexico Water Quality Act
MPN	Most Probable Number		WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code		WWTF	Wastewater Treatment Facility

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move directly or indirectly into groundwater within the meaning of Section 20.6.2.3104 NMAC.

2. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS within the meaning of Subsection A of 20.6.2.3101 NMAC.

3. The discharge from the facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

Pursuant to 20.6.2.3104 NMAC, it is the responsibility of the permittee to ensure that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein.

The permittee is authorized to discharge up to 8,700 gpd of domestic wastewater to eleven septic tank/leachfield systems.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

This Discharge Permit sets forth separate requirements for the short-term operation of on-site disposal system, connection of the facility to the VWSD sewer system, and additional operation and maintenance requirements if connection to the sewer system is infeasible. The separate requirements are identified in individual Parts, which include:

- **Part 1 – Applicable to All Parts**
- **Part 2 – Applicable to the On-Site Disposal System until Connection to the Sewer System**
- **Part 3 – Applicable to the Planned Connection to the Sewer System**
- **Part 4 – Applicable if Connection to the VWSD Sewer System Fails**
- **Part 5 – General Terms and Conditions**

Part 1
Applicable to All Parts

A. PART 1 - OPERATIONAL PLAN

#	Terms and Conditions
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC. [Subsection C of 20.6.2.3109 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

B. PART 1 - MONITORING AND REPORTING

#	Terms and Conditions
3.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
4.	METHODOLOGY – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC. [Subsection B of 20.6.2.3107 NMAC]
5.	Quarterly monitoring shall be performed during the following periods and reports submitted to NMED as follows: • January 1st through March 31st – **due by May 1st;** • April 1st through June 30th – **due by August 1st;** • July 1st through September 30th – **due by November 1st; and** • October 1st through December 31st – **due by February 1st.** [Subsection A of 20.6.2.3107 NMAC]

Part 2
Applicable to the On-Site Disposal System until Connection to Sewer System

A. PART 2 - OPERATIONAL PLAN

Operating Conditions

#	Terms and Conditions
6.	The permittee shall visually inspect the area above the eleven leachfields (disposal systems) semi-annually to ensure proper maintenance. Any conditions that indicate damage to the disposal system shall be corrected. Such conditions include, but are not limited to erosion damage, animal activity/damage, woody shrubs, or evidence of seepage. The permittee shall keep a log of the inspection findings and repairs. The log shall be made available to NMED upon request. In the event of a failure of the disposal system, the permittee shall enact the contingency plan set forth in this Discharge Permit. [Subsections A and D of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

#	Terms and Conditions
7.	The permittee shall inspect the eleven septic tanks semi-annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches or the settled solids occupy 30% or more of the tank volume, the contents of the tanks shall be pumped by a septage pumper meeting the qualification requirements identified in Subsection D of 20.7.3.904 NMAC, Liquid Waste Disposal and Treatment Regulations. The permittee shall maintain a record of solids removal and disposal, including date, volume of solids removed, and method of disposal and make them available to NMED upon request. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

B. PART 2 - MONITORING AND REPORTING

Facility Monitoring Conditions

#	Terms and Conditions
8.	The permittee shall estimate the monthly volume of wastewater received by the wastewater treatment system by recording meter readings for the facility's water supply on a monthly basis and calculating the monthly and average daily usage volumes. The estimated monthly volume* (based upon meter readings) shall be used to calculate the average daily volume by the formula below. estimated monthly volume ÷ number of days between readings = average daily volume Each month, the permittee shall make note of any significant uses of the water (e.g., irrigation, evaporative cooling or leaks) that do not contribute to the volume of wastewater received. The monthly meter readings, estimated monthly and average daily volumes, and notes and estimated volume of significant uses shall be submitted to NMED in the quarterly monitoring reports. *Should more than one flow meter exist for the facility's water supply, the permittee shall calculate the estimated monthly volume for the facility by adding the estimated monthly volume for each meter. This summation should be completed prior to calculating the average daily volume for the facility. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
9.	The permittee shall collect samples of wastewater from one septic tank each year, rotating among each of the eleven tanks at the facility and analyze the samples for: TKN, NO_3-N, TDS, and Cl.

#	Terms and Conditions
	Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be submitted to NMED in the monitoring report due by February 1st each year. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]

Part 3
Applicable to the Planned Connection to the Sewer System

A. PART 3 - OPERATIONAL PLAN

Operational Actions with Implementation Deadlines

#	Terms and Conditions
10.	Within 60 days following the effective date of this Discharge Permit (**by June 7, 2020**), the permittee shall submit a plan for connecting to the VWSD sewer to NMED. The plan shall include, at minimum, documentation on the funding sought/obtained for connection, a timeline for connection, construction benchmarks to be met, and a protocol for reporting progress toward connection. The timeline in the plan shall have a project completion date of no later than April 8, 2022. NMED will review the plan within 30 days of receipt. If NMED determines the plan is feasible and approves it, the permittee shall commence the sewer-connection process within 240 days following the effective date of this Discharge Permit (**by December 4, 2020**) in accordance with the approved plan. Compliance with the approved plan is an enforceable condition of this permit. If the permittee believes the plan is financially infeasible, the permittee shall provide evidence of hardship in the form of tax documents or other reliable records along with the plan submittal within 60 days following the effective date of this Discharge Permit (**by June 7, 2020**). If NMED agrees that the plan is infeasible, it will notify the permittee by certified mail of the determination of failure, the Determination Date, and the implementation deadline dates required as a result, and the permittee will be required to implement **Part 4** of this Discharge Permit within 60 days of that notification. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]
11.	Within 30 days following the date of connection to the sewer system, the permittee shall implement the Closure Condition in **Part 5** of this Discharge Permit. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]

Part 4
Applicable if Connection to the VWSD Sewer is Infeasible

A. PART 4 - OPERATIONAL PLAN

Operational Actions with Implementation Deadlines

#	Terms and Conditions
12.	Within 180 days following the Determination Date, pursuant to Condition 10, the permittee shall submit an up-to-date diagram of the layout of the entire facility to NMED. The diagram shall include the following elements: • a north arrow; • the effective date of the diagram; • all components of the wastewater treatment and disposal system; • all backflow prevention methods/devices; • all flow measurement devices; • all wastewater sampling locations; and • all connections between septic tanks and mobile home units. Any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the diagram in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]
13.	Within 90 days following the Determination Date, pursuant to Condition 10, the permittee shall conduct an inspection and test for water-tight construction on the all eleven septic tanks. The inspection and test shall be performed by a person meeting the qualification requirements identified in Paragraph (2), Subsection B of 20.7.3.904 NMAC, Liquid Waste Disposal and Treatment Regulations. The inspection shall be performed according to the following procedure. a) The contents of the unit shall be pumped and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. b) The interior of the unit shall be inspected to determine the construction material, interior dimensions and structural integrity. Inspection findings shall be recorded. c) The condition of the interior of the unit shall be photographically documented while the unit is empty. Water-tightness testing shall be completed using one of the two following procedures. a) <u>Hydrostatic testing</u> shall be conducted using the following procedure. 1) Plug the inlet and outlet piping of the unit.

#	Terms and Conditions
	2) Fill the unit with water to the normal operating level. 3) Measure the water level. 4) Allow the water to stand for 60 minutes without the addition of water. 5) Measure the water level at the end of 60 minutes. A unit that does not allow a drop-in water level of greater than 0.01 feet in 60 minutes is considered to be water-tight. Following hydrostatic testing, the water used shall be pumped out of the tanks and disposed of in a manner consistent with all local, state, and federal regulations or discharged to the discharge location authorized by this Discharge Permit. **- OR -** b) Vacuum testing shall be conducted using the following procedure. 1) Seal all openings to the unit. 2) Apply a vacuum of 50 millimeters (mm) of mercury to the unit. 3) Allow the unit to stand for two minutes without the application of additional vacuum. A unit that maintains at least 90% of the vacuum (i.e., greater than 45 mm of mercury) after two minutes is considered to be water-tight. The permittee shall submit a report for each unit inspected/tested to NMED within 30 days of the inspection/test date. The report shall include the date of the inspection/test, the name of the individual that conducted the test, written inspection findings, photographic documentation of the unit's interior and water-tightness test results. In the event that water-tightness testing reveals that a unit is not water-tight, or should inspection reveal damage to the unit that could result in structural failure, the permittee shall notify NMED in the inspection/test report required above. The permittee shall enact the following corrective actions upon notification from NMED. a) Within 90 days following notification from NMED, repair or replace the unit. If notified to do so by NMED, the permittee shall submit plans and specifications for the proposed repair or replacement that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority). The plans and specifications shall be submitted to NMED prior to construction for evaluation of compliance with the requirements of 20.6.2 NMAC. b) Within 30 days following repair or replacement of the unit, repeat the water-tightness testing to verify the effectiveness of the repair or replacement, and submit a report to NMED. The report shall include the date of the inspection/test, the name of the individual that performed the inspection/test, written inspection findings,

#	Terms and Conditions
	photographic documentation of the unit's interior and water tightness test results. If notified to do so by NMED, the permittee shall also submit record drawings that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) that include the final, construction details of the unit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

B. PART 4 - MONITORING AND REPORTING

Monitoring Actions with Implementation Deadlines

#	Terms and Conditions
14.	Within 60 days following the Determination Date, pursuant to Condition 10, the permittee shall submit a written monitoring well location proposal for review and approval by NMED. The proposal shall designate the locations of the monitoring wells required to be installed by Condition 15 of this Discharge Permit. The proposal shall include, at a minimum, the following information. a) A map showing the proposed location of the monitoring wells from the boundary of the source it is intended to monitor. b) A written description of the specific location proposed for the monitoring wells including the distance (in feet) and direction of the monitoring wells from the edge of the source it is intended to monitor. Examples include: 35 feet north-northwest of the northern berm of the synthetically lined impoundment; 45 feet due south of the leachfield; 30 feet southeast of the re-use area 150 degrees from north. c) A statement describing the groundwater flow direction beneath the facility, and documentation and/or data supporting the determination. All monitoring well locations shall be approved by NMED prior to installation. [Subsection A of 20.6.2.3107 NMAC]
15.	Within 120 days of the Determination Date, pursuant to Condition 10, the permittee shall install the following new monitoring wells. a) One monitoring well (MW-1) hydrologically upgradient of the facility. b) One monitoring well (MW-2) located 20 to 50 feet hydrologically downgradient of the leachfield that receives the largest volume. c) One monitoring well (MW-3) located at an alternate location from MW-2 and located 20 to 50 feet hydrologically downgradient of a leachfield other than the one monitored by MW-2.

#	Terms and Conditions
	The wells shall be completed in accordance with the attachment titled *Groundwater Discharge Permit Monitoring Well Construction and Abandonment Guidelines*, Revision 1.1, March 2011. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion. [Subsection A of 20.6.2.3107 NMAC]
16.	Within 150 days following the Determination Date, pursuant to Condition 10, the permittee shall survey all wells approved by NMED for Discharge Permit monitoring purposes to a U.S. Geological Survey (USGS) or other permanent benchmark. Survey data shall include northing, easting and elevation to the nearest hundredth of a foot or shall be in accordance with the "Minimum Standards for Surveying in New Mexico" (12.8.2 NMAC). A survey elevation shall be established at the top-of-casing, with a permanent marking indicating the point of survey. The survey shall bear the seal and signature of a licensed New Mexico professional surveyor (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority). Depth-to-most-shallow groundwater shall be measured to the nearest hundredth of a foot in all surveyed wells [and referenced to mean sea level], and the data shall be used to develop a groundwater elevation contour map showing the location of all monitoring wells and the direction and gradient of groundwater flow at the facility. The data and groundwater elevation contour map shall be submitted to NMED within 30 days of survey completion. [Subsection A of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]

Groundwater Monitoring Conditions

#	Terms and Conditions
17.	The permittee shall perform quarterly groundwater sampling in the following monitoring wells following the Determination Date, pursuant to Condition 10, and analyze the samples for TKN, NO_3-N, TDS and Cl. a) MW-1, intended to be located hydrologically upgradient of the facility. b) MW-2, intended to be located hydrologically downgradient of the leachfield that receives the largest volume. c) MW-3, intended to be located at an alternate location from MW-2 and hydrologically downgradient of a leachfield other than the one monitored by MW-2. Groundwater sample collection, preservation, transport and analysis shall be performed according to the following procedure. a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest hundredth of a foot.

#	**Terms and Conditions**
	b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. Depth-to-most-shallow groundwater measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
18.	The permittee shall develop a groundwater elevation contour map on a quarterly basis using the top of casing elevation data from the monitoring well survey and quarterly depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained from the groundwater monitoring wells required following the Determination Date, pursuant to Condition 10. The groundwater elevation contour map shall depict the groundwater flow direction based on the groundwater elevation contours. Groundwater elevations between monitoring well locations shall be estimated using common interpolation methods. A contour interval appropriate to the data shall be used, but the interval shall, in no case, be greater than two feet. Groundwater elevation contour maps shall depict the groundwater flow direction, using arrows, based on the orientation of the groundwater elevation contours, and the location and identification of each monitoring well and contaminant source. The groundwater elevation contour map shall be submitted to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
19.	NMED shall have the option to perform downhole inspections of all monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and provide at least a 60-day notice to the permittee by certified mail. The permittee shall have any existing dedicated pumps removed at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal. Should a facility not have existing dedicated pumps, but decide to install pumps in any of the monitoring wells, NMED shall be notified at least 90 days prior to pump installation so that a downhole well inspection(s) can be scheduled prior to pump placement. [Subsections A and D of 20.6.2.3107 NMAC]

Part 5
General Terms and Conditions

A. CONTINGENCY PLAN

#	Terms and Conditions
20.	In the event that a groundwater quality standard identified in Section 20.6.2.3103 NMAC is exceeded in groundwater as a result of this discharge during the term of this Discharge Permit, upon closure of the facility or during the implementation of post-closure requirements, the permittee shall submit to NMED a Corrective Action Plan that proposes, at a minimum, source control measures and an implementation schedule. The Plan shall be enacted as approved by NMED. The permittee may be required to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]
21.	In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attachment titled *Groundwater Discharge Permit Monitoring Well Construction and Abandonment Guidelines*, Revision 1.1, March 2011; contains insufficient water to effectively monitor groundwater quality; or is not completed in a manner that is protective of groundwater quality, the permittee shall install a replacement well(s) within 120 days following notification from NMED. The permittee shall survey the replacement monitoring wells within 150 days following notification from NMED. Replacement well locations shall be approved by NMED prior to installation and completed in accordance with the attachment titled *Groundwater Discharge Permit Monitoring Well Construction and Abandonment Guidelines*, Revision 1.1, March 2011. The permittee shall submit construction and lithologic logs, survey data and a groundwater elevation contour map to NMED within 60 days following well completion. Upon completion of the replacement monitoring well, the monitoring well requiring replacement shall be properly plugged and abandoned. Well plugging, abandonment and documentation of the abandonment procedures shall be completed in accordance with the attachment titled *Groundwater Discharge Permit Monitoring Well Construction and Abandonment Guidelines*, Revision 1.1, March 2011, and all applicable local, state, and federal regulations. The well abandonment documentation shall be submitted to NMED within 60 days of completion of well plugging activities. [Subsection A of 20.6.2.3107 NMAC]

#	**Terms and Conditions**
22.	In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not located hydrologically downgradient of the discharge location it is intended to monitor, the permittee shall install a replacement well within 120 days following notification from NMED. The permittee shall survey the replacement monitoring well within 150 days following notification from NMED. Replacement well locations shall be approved by NMED prior to installation and completed in accordance with the attachment titled *Groundwater Discharge Permit Monitoring Well Construction and Abandonment Guidelines*, Revision 1.1, March 2011. The permittee shall submit construction and lithologic logs, survey data and a groundwater elevation contour map within 30 days following well completion. [Subsection A of 20.6.2.3107 NMAC]
23.	In the event that an inspection of any of the eleven leachfields reveals failure, the following contingency plan shall be enacted. a) Within 24 hours following the discovered failure, the permittee shall: i) notify NMED of the failure in accordance with the notification requirements described in the Contingency Plan for unauthorized discharges; and ii) restrict public access to the area. b) The permittee shall conduct a physical inspection of the treatment and disposal system to identify additional potential failures. c) The permittee shall propose actions to address the failure and methods of correction by submitting a Corrective Action Plan to NMED for approval within 15 days following the discovered failure. The Corrective Action Plan shall include a schedule for completion of corrective actions and the permittee shall initiate implementation of the Plan following approval by NMED. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
24.	In the event that a release (commonly known as a "spill") occurs that is not authorized under this Discharge Permit, the permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below. Within <u>24 hours</u> following discovery of the unauthorized discharge, the permittee shall verbally notify NMED and provide the following information. a) The name, address, and telephone number of the person or persons in charge of the facility, as well as of the owner and/or operator of the facility. b) The name and address of the facility. c) The date, time, location, and duration of the unauthorized discharge. d) The source and cause of unauthorized discharge. e) A description of the unauthorized discharge, including its estimated chemical composition.

#	Terms and Conditions
	f) The estimated volume of the unauthorized discharge. g) Any actions taken to mitigate immediate damage from the unauthorized discharge. Within one week following discovery of the unauthorized discharge, the permittee shall submit written notification to NMED with the information listed above and any pertinent updates. Within 15 days following discovery of the unauthorized discharge, the permittee shall submit a corrective action report/plan to NMED describing any corrective actions taken and/or to be taken relative to the unauthorized discharge that includes the following information. a) A description of proposed actions to mitigate damage from the unauthorized discharge. b) A description of proposed actions to prevent future unauthorized discharges of this nature. c) A schedule for completion of proposed actions. In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, the permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC. Nothing in this condition shall be construed as relieving the permittee of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC. [20.6.2.1203 NMAC]
25.	In the event that NMED or the permittee identifies any failures of the discharge plan or this Discharge Permit not specifically noted herein, NMED may require the permittee to submit a Corrective Action Plan and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a Discharge Permit modification to achieve compliance with 20.6.2 NMAC. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]

B. CLOSURE PLAN

#	Terms and Conditions
26.	In the event the septic systems, or a component of the septic systems, is proposed to be permanently closed, upon ceasing discharge, the permittee shall perform closure measures.

#	**Terms and Conditions**
	Within 90 days of ceasing discharge to the septic tank leachfield system(s) (or closed system components), the permittee shall complete the following closure measures: a) Plug all lines leading to and from the closed system(s) so that a discharge can no longer occur. b) Wastewater, septage, and grease interceptor waste shall be pumped from the system components (e.g., septic tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes) and it shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The permittee shall maintain a record of all wastes transported for off-site disposal. Within 180 days of ceasing discharge to the septic tank leachfield system(s) (or closed system components), the permittee shall complete the following closure measures: a) Remove all lines leading to and from the closed system(s) or permanently plug them and abandon them in place. b) Remove or demolish all closed septic tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes or other system(s) components (with the exception of leachfields) and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and prevent ponding. The permittee shall continue groundwater monitoring until the requirements of this condition have been met and groundwater monitoring confirms for a minimum of two years of consecutive groundwater sampling events that the standards of Section 20.6.2.3103 NMAC are not exceeded. If monitoring results show that a groundwater quality standard in Section 20.6.2.3103 NMAC is exceeded or the total nitrogen concentration is greater than 10 mg/L in groundwater, the permittee shall implement the contingency plan required by this Discharge Permit. Following notification from NMED that post-closure monitoring may cease, the permittee shall plug and abandon the monitoring well(s) in accordance with the attachment titled *Groundwater Discharge Permit Monitoring Well Construction and Abandonment Guidelines*, Revision 1.1, March 2011. When all closure and post-closure requirements have been met, the permittee may submit a written request for termination of the Discharge Permit to NMED. [Subsection A of 20.6.2.3107 NMAC, 40 CFR Part 503

C. GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
27.	RECORD KEEPING - The permittee shall maintain a written record of: • information and data used to complete the application for this Discharge Permit; • any releases (commonly known as "spills") not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC; • the operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater; • facility record drawings (plans and specifications) showing the actual construction of the facility and bear the seal and signature of a licensed New Mexico professional engineer; • copies of monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit; • the volume of wastewater or other wastes discharged pursuant to this Discharge Permit; • groundwater quality and wastewater quality data collected pursuant to this Discharge Permit; • copies of construction records (well log) for all groundwater monitoring wells required to be sampled pursuant to this Discharge Permit; • the maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and • data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including: o the dates, location and times of sampling or field measurements; o the name and job title of the individuals who performed each sample collection or field measurement; o the sample analysis date of each sample o the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; o the analytical technique or method used to analyze each sample or collect each field measurement; o the results of each analysis or field measurement, including raw data; o the results of any split, spiked, duplicate or repeat sample; and o a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. The written record shall be maintained by the permittee at a location accessible during a facility inspection by NMED for a period of at least five years from the date of application, report, collection or measurement and shall be made available to the department upon request. [Subsections A and D of 20.6.2.3107 NMAC]

#	**Terms and Conditions**
28.	INSPECTION and ENTRY – The permittee shall allow inspection by NMED of the facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which are located any records required to be maintained by regulations of the federal government or the WQCC. The permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations. Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations. [Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]
29.	DUTY to PROVIDE INFORMATION - The permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records. [Subsection D of 20.6.2.3107 NMAC]
30.	MODIFICATIONS and/or AMENDMENTS – In the event the permittee proposes a change to the facility or the facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the facility, the permittee shall notify NMED prior to implementing such changes. The permittee shall obtain approval (which may require modification of this Discharge Permit) by NMED prior to implementing such changes. [Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]
31.	PLANS and SPECIFICATIONS – In the event the permittee is proposing to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the permittee shall submit construction plans and specifications to NMED for the proposed system or process unit prior to the commencement of construction. In the event the permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the permittee shall report such changes (including the submission of record drawings, where applicable) as of January 1 and June 30 of each year to NMED.

#	**Terms and Conditions**
	[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
32.	CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to $15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to $10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]
33.	CRIMINAL PENALTIES – No person shall: • make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA; • falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or • fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation. Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]

#	**Terms and Conditions**
34.	COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits or orders. [NMSA 1978, § 74-6-5.L]
35.	RIGHT to APPEAL - The permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues to be raised and the relief sought. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review. [20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]
36.	TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this facility or any portion thereof, the permittee shall: • notify the proposed transferee in writing of the existence of this Discharge Permit; • include a copy of this Discharge Permit with the notice; and • deliver or send by certified mail to NMED a copy of the notification and proof that such notification has been received by the proposed transferee. Until both ownership and possession of the facility have been transferred to the transferee, the permittee shall continue to be responsible for any discharge from the facility. [20.6.2.3111 NMAC]
37.	PERMIT FEES - Payment of permit fees is due at the time of Discharge Permit approval. Permit fees shall be paid in a single payment or shall be paid in equal installments on a yearly basis over the term of the Discharge Permit. Single payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date. Initial installment payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date; subsequent installment payments shall be remitted to NMED no later than the anniversary of the Discharge Permit effective date. Permit fees are associated with <u>issuance</u> of this Discharge Permit. Nothing in this Discharge Permit shall be construed as relieving the permittee of the obligation to pay all permit fees assessed by NMED. A permittee that ceases discharging or does not commence discharging from the facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. An approved Discharge Permit shall be suspended or terminated if the facility fails to remit an installment payment by its due date. [Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]

New Mexico Environment Department Ground Water Quality Bureau

Discharge Permit Summary

Facility Information

Facility Name Vision Mobile Home Park
Discharge Permit Number DP-1691

Legally Responsible Party Marisela Ornelas
Vision Mobile Home Park
1 Road 6367
Kirtland, NM 87417

Treatment, Disposal and Site Information

Primary Waste Type Domestic
Facility Type Mobile Home Park

Treatment Methods

Treatment Type	Designation	Description & Comments
Septic Tank	ST-1, ST-2, ST-3, ST-4, ST-5, ST-6, ST-7, ST-8, ST-9, ST-10, ST-11	1500-gallon, concrete. Installed approximately 1975.

Discharge Locations

Discharge Type	Designation	Description & Comments
Leachfield	UIC-1, UIC-2, UIC-3, UIC-4, UIC-5, UIC-6, UIC-7, UIC-8, UIC-9, UIC-10, UIC-11	Unknown size and construction.

Flow Metering Locations

Type	Designation	Description & Comments
Supply Meter	WM-1	Measures volume of water used by the facility.

Ground Water Monitoring Locations

Type	Designation	Description & Comments
Monitoring Well	MW-1	Located upgradient of facility. To be installed if connection to sewer fails.
Monitoring Well	MW-2	Located 20 to 50 feet hydrologically downgradient of the leachfield that receives the largest discharge volume. To be installed if connection to sewer fails.
Monitoring Well	MW-3	Located in an alternate location of MW-2 and 20 to 50 feet hydrologically downgradient of a leachfield other than the one monitored by MW-2. To be installed if connection to sewer fails.

Depth-to-Ground Water 20 feet
Total Dissolved Solids (TDS) 610 mg/L

Permit Information

Original Permit Issued	October 29, 2012
Current Action	**Renewal**
Application Received	August 14, 2019
Public Notice Published	January 31, 2020
Permit Issued (Effective Date)	April 8, 2020
Permitted Discharge Volume	8,700 gallons per day

NMED Contact Information

Mailing Address	Ground Water Quality Bureau P.O. Box 5469 Santa Fe, New Mexico 87502-5469
GWQB Telephone Number	(505) 827-2900
NMED Lead Staff	Avery Young
Lead Staff Telephone Number	(505) 827-2909
Lead Staff Email	avery.young@state.nm.us

New Mexico Environment Department
Ground Water Quality Bureau
20.6.2.3103 STANDARDS FOR GROUNDWATER

This table lists the numeric ground water standards in 20.6.2.3103 NMAC, effective as of December 21, 2018. It does not list the "toxic pollutants" for which Subsection A of 20.6.2.3103 NMAC establishes a narrative standard. The list of "toxic pollutants" can be found in Subsection T of 20.6.2.7 NMAC. The standards with an asterisk (*) take effect on July 1, 2020 for past and current water discharges occurring as of July 1, 2017. For full details, please refer to the Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

Contaminant (Abbreviation) (CAS Number)	Standard
Numerical Standards (mg/l unless otherwise noted)	
Antimony (Sb) (CAS 7440-36-0)	0.006
Arsenic (As) (CAS 7440-38-2)	0.01*
Barium (Ba) (CAS 7440-39-3)	2.0
Beryllium (Be) (CAS 7440-41-7)	0.004
Cadmium (Cd) (CAS 7440-43-9)	0.005*
Chromium (Cr) (CAS 7440-47-3)	0.05
Cyanide (CN) (CAS 57-12-5)	0.2
Fluoride (F) (CAS 16984-48-8)	1.6
Lead (Pb) (CAS 7439-92-1)	0.015*
Total Mercury (Hg) (CAS 7439-97-6)	0.002
Nitrate (NO_3 as N) (CAS 14797-55-8)	10.0
Nitrite (NO_2 as N) (CAS 10102-44-0)	1.0
Selenium (Se) (CAS 7782-49-2)	0.05
Silver (Ag) (CAS 7440-224)	0.05
Thallium (Tl) (CAS 7440-28-0)	0.002
Uranium (U) (CAS 7440-61-1)	0.03
Radioactivity: Combined Radium-226 (CAS 13982-63-3) and Radium-228 (CAS 15262-20-1)	5 pCi/l*
Benzene (CAS 71-43-2)	0.005*
Polychlorinated biphenyls (PCB's) (CAS 1336-36-3)	0.0005*
Toluene (CAS 108-88-3)	1.0
Carbon Tetrachloride (CAS 56-23-5)	0.005*
1,2-dichloroethane (EDC) (CAS 107-06-2)	0.005*
1,1-dichloroethylene (1,1-DCE) (CAS 75-35-4)	0.007
tetrachloroethylene (PCE) (CAS 127-18-4)	0.005*
trichloroethylene (TCE) (CAS 79-01-6)	0.005*
ethylbenzene (CAS 100-41-4)	0.7*
total xylenes (CAS 1330-20-7)	0.62
methylene chloride (CAS 75-09-2)	0.005*
chloroform (CAS 67-66-3)	0.1
1,1-dichloroethane (CAS 75-34-3)	0.025
ethylene dibromide (EDB) (CAS 106-93-4)	0.00005*
1,1,1-trichloroethane (CAS 71-55-6)	0.2
1,1,2-trichloroethane (CAS 79-00-5)	0.005*
1,1,2,2-tetrachloroethane (CAS 79-34-5)	0.01
vinyl chloride (CAS 75-01-4)	0.002
PAHs: total naphthalene (CAS 91-20-3) plus monomethylnaphthalenes	0.03
benzo-a-pyrene (CAS 50-32-8)	0.0002*
cis-1,2-dichloroethene (CAS 156-59-2)	0.07
trans-1,2-dichloroethene (CAS 156-60-5)	0.1
1,2-dichloropropane (PDC) (CAS 78-87-5)	0.005

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styrene (CAS 100-42-5)	0.1
1,2-dichlorobenzene (CAS 95-50-1)	0.6
1,4-dichlorobenzene (CAS 106-46-7)	0.075
1,2,4-trichlorobenzene (CAS 120-82-1)	0.07
pentachlorophenol (CAS 87-86-5)	0.001
atrazine (CAS 1912-24-9)	0.003
Other Standards for Domestic Water Supply	
Chloride (Cl) (CAS 16887-00-6)	250
Copper (Cu) (CAS 7440-50-80	1.0
Iron (Fe) (CAS 7439-89-6)	1.0
Manganese (Mn) (CAS 7439-96-5)	0.2
Phenols	0.005
Sulfate (SO_4) (CAS 14808-79-8)	600
Total Dissolved Solids (TDS)	1000
Zinc (Zn) (CAS 7440-66-6)	10
pH	6-9
Methyl tertiary-butyl ether (MTBE) (CAS 1634-04-4)	0.1
Standards for Irrigation Use	
Aluminum (Al) (CAS 7429-90-5)	5.0
Boron (B) (CAS 7440-42-8)	0.75
Cobalt (Co) (CAS 7440-48-4)	0.05
Molybdenum (Mo) (CAS 7439-98-7)	1.0
Nickel (Ni) (CAS 7440-02-0)	0.2

NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU
MONITORING WELL CONSTRUCTION AND ABANDONMENT GUIDELINES

Purpose: These guidelines identify minimum construction and abandonment details for installation of water table monitoring wells under groundwater Discharge Permits issued by the NMED's Ground Water Quality Bureau (GWQB) and Abatement Plans approved by the GWQB. Proposed locations of monitoring wells required under Discharge Permits and Abatement Plans and requests to use alternate installation and/or construction methods for water table monitoring wells or other types of monitoring wells (e.g., deep monitoring wells for delineation of vertical extent of contaminants) must be submitted to the GWQB for approval prior to drilling and construction.

General Drilling Specifications:

1. All well drilling activities must be performed by an individual with a current and valid well driller license issued by the State of New Mexico in accordance with 19.27.4 NMAC. Use of drillers with environmental well drilling experience and expertise is highly recommended.
2. Drilling methods that allow for accurate determinations of water table locations must be employed. All drill bits, drill rods, and down-hole tools must be thoroughly cleaned immediately prior to the start of drilling. The borehole diameter must be drilled a minimum of 4 inches larger than the casing diameter to allow for the emplacement of sand and sealant.
3. After completion, the well should be allowed to stabilize for a minimum of 12 hours before development is initiated.
4. The well must be developed so that formation water flows freely through the screen and is not turbid, and all sediment and drilling disturbances are removed from the well.

Well Specifications (see attached monitoring well schematic):

5. Schedule 40 (or heavier) polyvinyl chloride (PVC) pipe, stainless steel pipe, carbon steel pipe, or pipe of an alternate appropriate material that has been approved for use by NMED must be used as casing. The casing must have an inside diameter not less than 2 inches. The casing material selected for use must be compatible with the anticipated chemistry of the groundwater and appropriate for the contaminants of interest at the facility. The casing material and thickness selected for use must have sufficient collapse strength to withstand the pressure exerted by grouts used as annular seals and thermal properties sufficient to withstand the heat generated by the hydration of cement-based grouts. Casing sections may be joined using welded, threaded, or mechanically locking joints; the method selected must provide sufficient joint strength for the specific well installation. The casing must extend from the top of the screen to at least one foot above ground surface. The top of the casing must be fitted with a removable cap, and the exposed casing must be protected by a locking steel well shroud. The shroud must be large enough in diameter to allow easy access for removal of the cap. Alternatively, monitoring wells may be completed below grade. In this case, the casing must extend from the top of the screen to 6 to 12 inches below the ground surface; the monitoring wells must be sealed with locking, expandable well plugs; a flush-mount, watertight well vault that is rated to withstand traffic loads must be emplaced around the wellhead; and the cover must be secured with at least one bolt. The vault cover must indicate that the wellhead of a monitoring well is contained within the vault.
6. A 20-foot section (maximum) of continuous-slot, machine slotted, or other manufactured PVC or stainless steel well screen or well screen of an alternate appropriate material that has been approved for use by NMED must be installed across the water table. Screens created by cutting slots into solid casing with saws or other tools must not be used. The screen material selected for use must be compatible with the anticipated chemistry of the ground water and appropriate for the contaminants of interest at the facility. Screen sections may be joined using welded, threaded, or mechanically

locking joints; the method selected must provide sufficient joint strength for the specific well installation and must not introduce constituents that may reasonably be considered contaminants of interest at the facility. A cap must be attached to the bottom of the well screen; sumps (i.e., casing attached to the bottom of a well screen) should not be installed. The bottom of the screen must be installed no more than 15 feet below the water table; the top of the well screen must be positioned not less than 5 feet above the water table. The well screen slots must be appropriately sized for the formation materials and should be selected to retain 90 percent of the filter pack. A slot size of 0.010 inches is generally adequate for most installations.

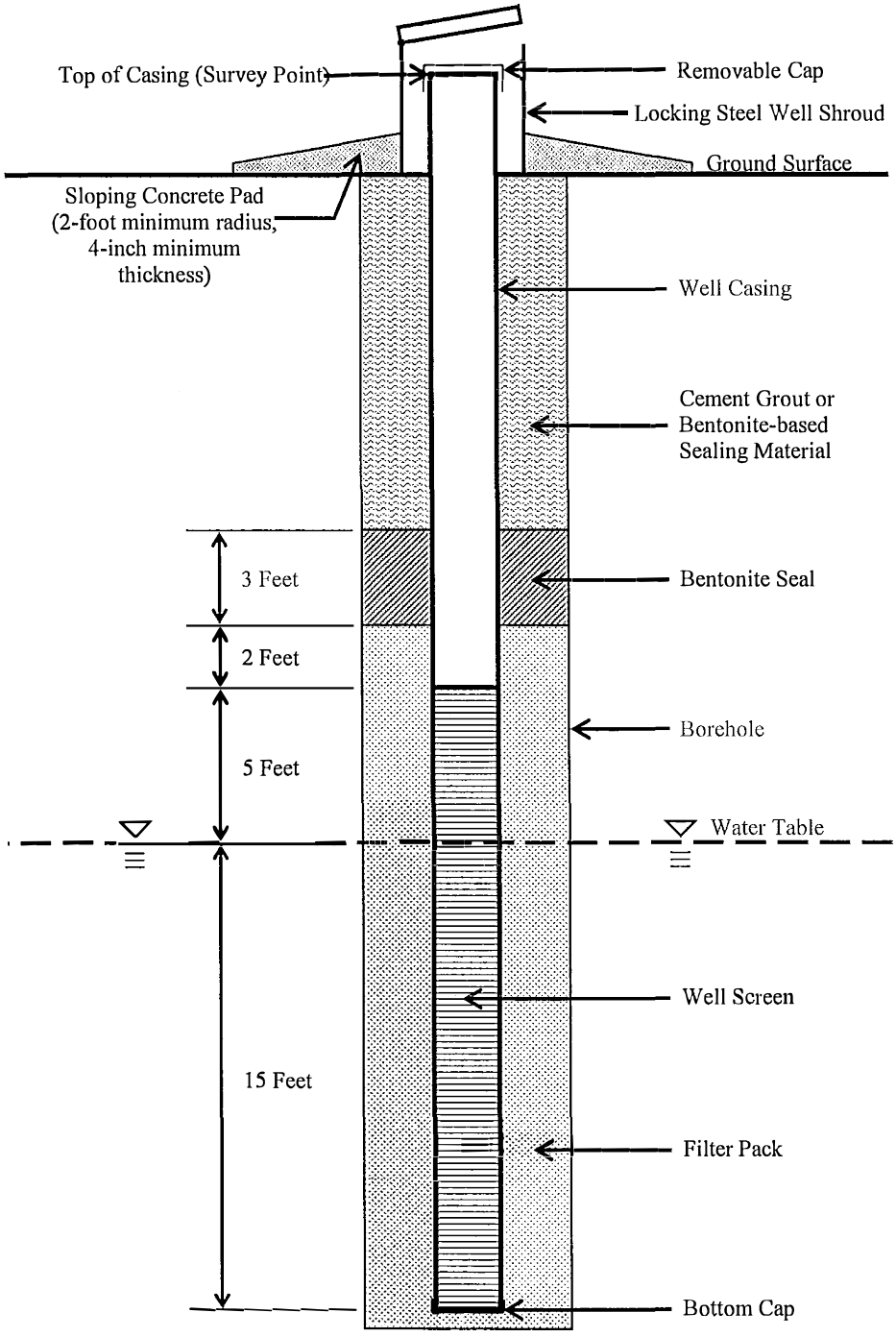
7. Casing and well screen must be centered in the borehole by placing centralizers near the top and bottom of the well screen.
8. A filter pack must be installed around the screen by filling the annular space from the bottom of the screen to 2 feet above the top of the screen with clean silica sand. The filter pack must be properly sized to prevent fine particles in the formation from entering the well; clean medium to coarse silica sand is generally adequate as filter pack material for 0.010-inch slotted well screen. For wells deeper than 30 feet, the sand must be emplaced by a tremmie pipe. The well should be surged or bailed to settle the filter pack and additional sand added, if necessary, before the bentonite seal is emplaced.
9. A bentonite seal must be constructed immediately above the filter pack by emplacing bentonite chips or pellets (3/8-inch in size or smaller) in a manner that prevents bridging of the chips/pellets in the annular space. The bentonite seal must be 3 feet in thickness and hydrated with clean water. Adequate time should be allowed for expansion of the bentonite seal before installation of the annular space seal.
10. The annular space above the bentonite seal must be sealed with cement grout or a bentonite-based sealing material acceptable to the State Engineer pursuant to 19.27.4 NMAC. A tremmie pipe must be used when placing sealing materials at depths greater than 20 feet below the ground surface. Annular space seals must extend from the top of the bentonite seal to the ground surface (for wells completed above grade) or to a level 3 to 6 inches below the top of casing (for wells completed below grade).
11. For monitoring wells finished above grade, a concrete pad (2-foot minimum radius, 4-inch minimum thickness) must be poured around the shroud and wellhead. The concrete and surrounding soil must be sloped to direct rainfall and runoff away from the wellhead. The installation of steel posts around the well shroud and wellhead is recommended for monitoring wells finished above grade to protect the wellhead from damage by vehicles or equipment. For monitoring wells finished below grade, a concrete pad (2-foot minimum radius, 4-inch minimum thickness) must be poured around the well vault and wellhead. The concrete and surrounding soil must be sloped to direct rainfall and runoff away from the well vault.

Abandonment:

12. Approval for abandonment of monitoring wells used for ground water monitoring in accordance with Discharge Permit and Abatement Plan requirements must be obtained from NMED prior to abandonment.
13. Well abandonment must be accomplished by removing the well casing and placing neat cement grout, bentonite-based plugging material, or other sealing material approved by the State Engineer for wells that encounter water pursuant to 19.27.4 NMAC from the bottom of the borehole to the ground surface using a tremmie pipe. If the casing cannot be removed, neat cement grout, bentonite-based plugging material, or other sealing material approved by the State Engineer must be placed in the well using a tremmie pipe from the bottom of the well to the ground surface.
14. After abandonment, written notification describing the well abandonment must be submitted to the NMED. Written notification of well abandonment must consist of a copy of the well plugging record submitted to the State Engineer in accordance with 19.27.4 NMAC, or alternate documentation containing the information to be provided in a well plugging record required by the State Engineer as specified in 19.27.4 NMAC.

Deviation from Monitoring Well Construction and Abandonment Requirements: Requests to construct water table monitoring wells or other types of monitoring wells for groundwater monitoring under groundwater Discharge Permits or Abatement Plans in a manner that deviates from the specified requirements must be submitted in writing to the GWQB. Each request must state the rationale for the proposed deviation from these requirements and provide detailed evidence supporting the request. The GWQB will approve or deny requests to deviate from these requirements in writing.

MONITORING WELL SCHEMATIC
(Not to Scale)



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Certificate of Service

I hereby certify that on February 8, 2021 a copy of the foregoing **document** was emailed to the persons listed below. A copy will be mailed first class upon request.

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